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24024

7590

06/07/2007

**CALFEE HALTER & GRISWOLD, LLP**  
**800 SUPERIOR AVENUE**  
**SUITE 1400**  
**CLEVELAND, OH 44114**

09/13/2007 RMEBRAH1 00000007 10518337

01 FC:1501 1400.00 OP  
 02 FC:1504 300.00 OP

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Karen Buzinski (Depositor's name)  
 Karen Buzinski (Signature)  
 September 7, 2007 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,337	12/15/2004	Richard A. Ales	22188/06938	6750

TITLE OF INVENTION: ULTRASONIC TESTING OF FITTING ASSEMBLY FOR FLUID CONDUITS WITH A HAND-HELD APPARATUS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES XXX NO	\$700 XX 1,400	\$300	\$0	\$1,700 1,700	09/07/2007
EXAMINER	ART UNIT	CLASS-SUBCLASS				
CHAPMAN JR, JOHN E	2856	073-597000				

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Calfee, Halter &  
 2 Griswold LLP  
 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Swagelok Company

Solon, Ohio

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
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5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☒ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date Sept. 7, 2007

Typed or printed name

Leonard L. Lewis

Registration No. 31,176

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Karen Buzinski

Typed or Printed name of person signing this certificate

*Karen Buzinski*  
Signature

9/7/07  
Date

Customer Number

**24024**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re application of:** Richard A. Ales

**Ser. No.:** 10/518,337

**Filed:** December 15, 2004

**For: ULTRASONIC TESTING OF  
FITTING ASSEMBLY FOR FLUID  
CONDUITS WITH A HAND-HELD  
APPARATUS**

**Examiner:** John E. Chapman Jr.

**Art Unit:** 2856

**Docket No.** 22188/06938

**Confirmation No.** 6750

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Alexandria, Virginia 22313-1450

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Dear Sir:

In paragraph 3 of the Examiner's Amendment that accompanied the Notice of Allowability, it is stated that the prior art does not teach or fairly suggest an analyzer that determines axial position of the end of the conduit, and it is further stated that the prior art fails to teach or fairly suggest a source configured to apply mechanical energy to the

fitting body. Both statements are correct. Applicants further make of record that these statements relate to claim elements that are not taught or suggested in the art of record, and are not necessarily the only claim elements that are not taught or suggested in the art of record. Therefore, the claims meet the novelty and non-obviousness criteria under 35 USC §102 and §103, and the Graham v. John Deere Co., 383 U.S. 1 (1966).

Respectfully submitted,

Date: Sept. 7, 2007

By:   
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